

Exhibit 3

CHARISE JONES
FISCHER V. GEICO

August 12, 2024
1-4

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|---|--|
| 1 | 1 CHARISE JONES |
| 2 IN THE UNITED STATES DISTRICT COURT | 2 APPEARANCES CONTINUED: |
| 3 FOR THE EASTERN DISTRICT OF NEW YORK | 3 On behalf of the Defendant GEICO: |
| 4 - - - - -) | 4 DUANE MORRIS, LLP |
| 5 KEITH FISCHER, MICHAEL O'SULLIVAN,) | 5 1540 Broadway - 14th Floor |
| 6 JOHN MOESER, LOUIS PIA, THOMAS) Case No.: | 6 New York, New York 10036 |
| 7 BARDEN, CONSTANCE MANGAN, and) 2:23 Civ. 2848 | 7 (312) 499-0198 (Ms. Alberty) |
| 8 CHARISE JONES, individually and) (GRB) (ARL) | 8 Email: gsslotnick@duanemorris.com |
| 9 on behalf of all others similarly) | 9 BY: GREGORY SLOTNICK, ESQUIRE |
| 10 situated,) | 10 |
| 11 Plaintiffs,) | 11 Also on behalf of the Defendant GEICO: |
| 12 - v -) | 12 DUANE MORRIS, LLP |
| 13 GOVERNMENT EMPLOYEES INSURANCE) | 13 190 South LaSalle Street - Suite 3700 |
| 14 COMPANY d/b/a GEICO,) | 14 Chicago, Illinois 60603 |
| 15 Defendant.) | 15 (312) 499-0198 |
| 16 - - - - -) | 16 Email: tealberty@duanemorris.com |
| 17 | 17 BY: TIFFANY ALBERTY, ESQUIRE |
| 18 VIDEOTAPED DEPOSITION OF CHARISE JONES | 18 (Appearing via Zoom) |
| 19 | 19 |
| 20 | 20 ALSO PRESENT: |
| 21 | 21 SILVIO FACCHIN, Legal Video Specialist |
| 22 | 22 Esquire Deposition Solutions |
| 23 Reported by: | 23 |
| 24 Kim M. Brantley | 24 |
| 25 Job No: J11541510 | 25 |
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| 1 CHARISE JONES | 1 CHARISE JONES |
| 2 Monday, August 12, 2024 | 2 P R O C E E D I N G S |
| 3 Time: 9:53 a.m. | 3 THE LEGAL VIDEO SPECIALIST: This is |
| 4 Videotaped deposition of CHARISE JONES, held | 4 the media labeled number one in the video |
| 5 at Duane Morris, LLP, 1540 Broadway, 14th Floor, | 5 recorded deposition of Charise Jones in the |
| 6 New York, New York, before Kim M. Brantley, Court | 6 matter of Keith Fischer, et al. versus |
| 7 Reporter and Notary Public of the State of New | 7 Government Employee Insurance Company, doing |
| 8 York. | 8 business as GEICO. |
| 9 | 9 This deposition is being taken in New |
| 10 APPEARANCES: | 10 York City, New York on August 12, 2024. My |
| 11 On behalf of the Plaintiffs: | 11 name is Silvio Facchin, I am a certified |
| 12 OTTEN & GOLDEN, LLP | 12 legal video specialist; the court reporter is |
| 13 1225 New York Avenue NW - Suite 1200B | 13 Kim Brantley, and we're both representing |
| 14 Washington, DC, 20007 | 14 Esquire Deposition Solutions. |
| 15 (202) 847-4400 | 15 We are now going on the record. The |
| 16 Email: sjean@ottengolden.com | 16 time is 9:53 a.m. |
| 17 BY: SABINE JEAN, ESQUIRE | 17 Counsel will state their appearances |
| 18 | 18 for the record. |
| 19 | 19 MR. SLOTNICK: Good morning. Greg |
| 20 | 20 Slotnick of Dwayne Morris for defendant |
| 21 | 21 GEICO. |
| 22 | 22 MS. JEAN: Sabine Jean, Otten & Golden, |
| 23 | 23 for plaintiff -- for named plaintiff Charise |
| 24 | 24 Jones. |
| 25 | 25 THE LEGAL VIDEO SPECIALIST: Will the |

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| 1 CHARISE JONES | 1 CHARISE JONES |
| 2 Do you know whether any investigators | 2 attempted to submit time for approximately 1.5 |
| 3 outside of region two were ever approved to work | 3 hours that I worked above 38.75 hours in the week, |
| 4 more than 38.75 hours in a week? | 4 even though I'd actually worked more hours. |
| 5 A. I have no knowledge of that. | 5 "After my supervisor reviewed the |
| 6 Q. Do you know if any investigators | 6 request, she asked me who approved the overtime |
| 7 outside of New York were ever approved to work | 7 and then required me to spend a significant amount |
| 8 38.75 hours per week? | 8 of time writing a report to justify the additional |
| 9 A. I don't know that. | 9 pay from my regular caseload. |
| 10 Q. So in the second sentence of paragraph | 10 "I had to detail at length in this |
| 11 nine where it says, "My supervisor frequently | 11 report the cases I worked on during the pay period |
| 12 reiterated to me and other special investigators | 12 and what tasks I completed. |
| 13 there was no approved overtime for completing | 13 "Writing this took me at least two |
| 14 regular case work, and that if it was offered | 14 hours, and it dissuaded me from submitting further |
| 15 GEICO would let the special investigators know," | 15 requests to be paid for hours above 38.75 per work |
| 16 where did that conversation take place? | 16 week." |
| 17 A. That, again, same means would either be | 17 Do you recall that instance? |
| 18 phone or Webex, meeting her. | 18 A. Yes. |
| 19 Q. And when you say "frequently," how | 19 Q. And where did that conversation take |
| 20 frequently are you talking about? | 20 place? |
| 21 A. I don't know how frequent. I really | 21 A. That was I believe through Webex. |
| 22 don't. | 22 Q. Was it just you and April the call? |
| 23 Q. And those conversations would have been | 23 A. Yes. |
| 24 by phone or Webex you said? | 24 Q. To one else was present? |
| 25 A. Correct. | 25 A. No. |
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| 1 CHARISE JONES | 1 CHARISE JONES |
| 2 Q. Was anyone else in those conversations? | 2 Q. And when you submit -- strike that. |
| 3 A. Sometimes when we had section meetings | 3 When did you submit the report that |
| 4 it would come up, and it would be everyone in her | 4 you're referring to here? |
| 5 section. | 5 A. She wanted it submitted the next day |
| 6 Q. Who was in her section? | 6 for the manager to approve it. |
| 7 A. Jeff Lewonka, myself, Anthony | 7 Q. And who was the manager? |
| 8 DeStefano, Jessica Sheppard, Mario Demaeo -- it's | 8 A. Bill Newport. |
| 9 D-e-m-a-e-o -- Marie Butler. And I don't remember | 9 Q. How did you submit it? |
| 10 the other ones at the time. | 10 A. I sent an email. |
| 11 Q. And what do you mean by "regular case | 11 Q. Who did you send the email to? |
| 12 work"? | 12 A. Her, April. |
| 13 A. Meaning if it wasn't something specific | 13 Q. Was anyone copied on that email? |
| 14 that they needed the overtime for, like a special | 14 A. No. |
| 15 project. | 15 Q. And were your overtime hours for that |
| 16 Q. Like what type of job responsibilities | 16 week approved? |
| 17 would you say constitutes regular case work? | 17 A. Yes. |
| 18 A. The everyday cases that we got that | 18 Q. So why did you -- why do you believe |
| 19 were submitted to us on a daily basis. | 19 that that dissuaded you from future requests to be |
| 20 Q. So those would be part of your general | 20 paid above 38.75 hours per work week? |
| 21 responsibilities as an investigator? | 21 A. Because it -- the way it was -- the way |
| 22 A. Correct. | 22 she reprimanded me on putting it in, saying that |
| 23 Q. So in paragraph ten, on the same page, | 23 there was nobody to approve it, and "You can't |
| 24 where it says, "In approximately February or March | 24 just work the overtime," and she wanted to know |
| 25 2022, prior to my promotion to being a trainer, I | 25 why I didn't ask somebody, and I proceeded to let |

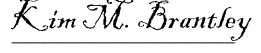
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| 1 | CHARISE JONES | 1 | CHARISE JONES |
| 2 | her know that nobody was there. All the | 2 | report to April, did she tell you not to submit it |
| 3 | supervisors were out for the day. The manager was | 3 | for all of your time worked? |
| 4 | out. And I said, "I worked it, so I put it in." | 4 | A. No, because I already submitted my |
| 5 | And then she told me that in order for | 5 | Workday time, so it was only her to approve the |
| 6 | me to get approved for it, I had to write down | 6 | amount that I've already submitted. |
| 7 | every single case that I worked, what I did, the | 7 | So she said that I had to write up this |
| 8 | time I did it, and why I needed to work that | 8 | report to just justify what I already put in. |
| 9 | amount of hours overtime. | 9 | Q. Okay, and the original amount that you |
| 10 | And I -- it was just time consuming. | 10 | had already put in, that only included the 1.5 |
| 11 | That took more time out of my day during my work, | 11 | hours? |
| 12 | of which she made it a big deal to do it, and then | 12 | A. Correct. |
| 13 | after it was approved, it was like no big deal. | 13 | Q. And do you recall if you received pay |
| 14 | "Okay, it's approved. No problem." | 14 | at time and a half for those hours you submitted? |
| 15 | Q. And you submitted only 1.5 five | 15 | A. No, it was up -- it was still within |
| 16 | hours -- | 16 | the forty hours. So I was still getting straight |
| 17 | A. Mm-hmm. | 17 | time. |
| 18 | Q. Is that correct? | 18 | Q. And what other times did you ask to |
| 19 | A. Correct. And that's what persuaded me, | 19 | work overtime hours? |
| 20 | because at that point I was just like, just forget | 20 | A. When -- again when my workload was |
| 21 | the time, then. Don't pay me for that 1.5 if | 21 | building up and I had a lot of cases, I would say, |
| 22 | you're going to make me go through hoops for it. | 22 | "Is there any overtime available?" It was always |
| 23 | Q. But did you -- strike that. | 23 | "No. If we have any, we'll let everybody know. |
| 24 | Is it your testimony that you actually | 24 | We'll put an email out." |
| 25 | worked more than 1.5 hours that week? | 25 | I'm like, well, you know, when I would |
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| 1 | CHARISE JONES | 1 | CHARISE JONES |
| 2 | A. Yes. | 2 | go to Brooklyn, or all the windshield time that |
| 3 | Q. So why didn't you include the rest of | 3 | took up hours, or there was an accident, or there |
| 4 | that time in the request? | 4 | was traffic, and you're putting in almost your |
| 5 | A. Because it was persuaded -- it was the | 5 | entire day of your 7.75 in the car, and then |
| 6 | way she was making me feel. I just didn't want to | 6 | coming home and having to write up a report, you |
| 7 | put in any other time. | 7 | know, it was just told, "Listen, take it off |
| 8 | And when I did submit what I did, you | 8 | another day," or "Work around it." |
| 9 | can obviously see that it was more than the 1.5. | 9 | Q. Did you ever make any formal complaints |
| 10 | I only put in the 1.5, but she can definitely see | 10 | about this unpaid time? |
| 11 | by the documentation that I put on there what I | 11 | MS. JEAN: Objection. |
| 12 | did, where I went, and why I needed the time that | 12 | THE WITNESS: No. |
| 13 | it was more than that. | 13 | BY MR. SLOTNICK: |
| 14 | Q. But you didn't submit for the time you | 14 | Q. Why not? |
| 15 | actually worked, correct? | 15 | A. I thought, you know, what I was doing, |
| 16 | A. No, because I knew it was going to be a | 16 | telling my supervisor, and, you know, justifying |
| 17 | hassle just for -- just the amount that I put in | 17 | it where it went to the manager, I thought it |
| 18 | was already a hassle, that I wasn't going to go | 18 | would be enough. |
| 19 | any -- going to put in anything further. | 19 | Q. If you go back to paragraph eight on |
| 20 | Q. Did April tell you not to put in for | 20 | page three, do you see that? |
| 21 | the additional time? | 21 | A. Yes, eight. |
| 22 | A. She didn't want me to put in for the | 22 | Q. It says, "As a special investigator, |
| 23 | original time, never mind the additional time, | 23 | starting from 2016 to my promotion to trainer in |
| 24 | because she said it wasn't approved. | 24 | approximately March 2022 I started work between |
| 25 | Q. But when you were told to submit this | 25 | 7:00 a.m. and 7:30 a.m. and ended my day between |

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| 1 | CHARISE JONES | | | 1 | CHARISE JONES |
| 2 | I N D E X | | | 2 | ACKNOWLEDGEMENT OF WITNESS |
| 3 | DEPOSITION OF CHARISE JONES | | | 3 | I, CHARISE JONES, do hereby acknowledge |
| 4 | EXAMINATION BY: | PAGE: | | 4 | that I have read and examined the foregoing |
| 5 | Mr. Slotnick | 5, 292 | | 5 | testimony, and the same is a true, correct and |
| 6 | Ms. Jean | 275 | | 6 | complete transcription of the testimony given by |
| 7 | | | | 7 | me, and any corrections appear on the attached |
| 8 | | | | 8 | Errata sheet signed by me. |
| 9 | INDEX OF DEPOSITION EXHIBITS: | | | 9 | _____ |
| 10 | JONES EXHIBITS: | PAGE: | | 10 | (DATE) (SIGNATURE) |
| 11 | Jones Exhibit 1. Notice of Deposition | 11 | | 11 | |
| 12 | Jones Exhibit 2. Employee handbook | 101 | | 12 | |
| 13 | Jones Exhibit 3. Training history log | 109 | | 13 | |
| 14 | Jones Exhibit 4. Employment Contents | | | 14 | |
| 15 | From the GEICO Human Resources Associate | | | 15 | |
| 16 | Handbook | 115 | | 16 | |
| 17 | Jones Exhibit 5. Charise Jones Declaration | 134 | | 17 | |
| 18 | | | | 18 | |
| 19 | Jones Exhibit 6. Answers to Interrogatories | 176 | | 19 | |
| 20 | | | | 20 | |
| 21 | Jones Exhibit 7. Second Amended Collective | | | 21 | |
| 22 | | | | 22 | |
| 23 | and Class Action Complaint | 224 | | 23 | |
| 24 | | | | 24 | |
| 25 | (Exhibits attached to original transcript. | | | 25 | |
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| 1 | CHARISE JONES | | | 1 | CHARISE JONES |
| 2 | ERRATA SHEET FOR THE TRANSCRIPT OF: | | | 2 | C E R T I F I C A T E |
| 3 | Case Name: Keith Fischer, et al. vs. GEICO | | | 3 | STATE OF NEW YORK) |
| 4 | Dep. Date: August 12, 2024 | | | 4 | : Ss. |
| 5 | Deponent: Charise Jones | | | 5 | COUNTY OF NEW YORK) |
| 6 | CORRECTIONS: | | | 6 | I, Kim M. Brantley, Shorthand |
| 7 | Pg. Ln. Now Reads Should Read Reason | | | 7 | Reporter, and Notary Public within and for the |
| 8 | _____ | _____ | _____ | 8 | State of New York, do hereby certify: |
| 9 | _____ | _____ | _____ | 9 | That CHARISE JONES, the witness whose |
| 10 | _____ | _____ | _____ | 10 | deposition is hereinbefore set forth, was duly |
| 11 | _____ | _____ | _____ | 11 | sworn by me and that such deposition is a true |
| 12 | _____ | _____ | _____ | 12 | record of the testimony given by the witness. |
| 13 | _____ | _____ | _____ | 13 | I further certify that I am not related |
| 14 | _____ | _____ | _____ | 14 | Toni of the parties to this action by blood or |
| 15 | _____ | _____ | _____ | 15 | marriage, and that I am in no way interested in |
| 16 | _____ | _____ | _____ | 16 | the outcome of this matter. |
| 17 | _____ | _____ | _____ | 17 | IN WITNESS WHEREOF, I have hereunto set |
| 18 | Signature of Deponent | | | 18 | my hand this 13th day of August, 2024. |
| 19 | SUBSCRIBED AND SWORN BEFORE ME | | | 19 |  |
| 20 | THIS ____ DAY OF _____, 2024 | | | 20 | Kim M. Brantley |
| 21 | | | | 21 | |
| 22 | | | | 22 | |
| 23 | (Notary Public) | | | 23 | |
| 24 | MY COMMISSION EXPIRES: _____ | | | 24 | My Commission expires May 31, 2026. |
| 25 | | | | 25 | |